

Remarks

This Amendment is responsive to the Office Action mailed June 3, 2004. The form of this Amendment is the Revised Amendment Format under 37 C.F.R. § 1.121 that became effective July 30, 2003.

Finality of the Action Mailed June 3, 2004

As a preliminary matter, the Action mailed June 3, 2004, was characterized as a Final Action. Applicant would point out that original claims 7, 15, 17, 18, and 20 have not been amended and were rejected based upon the disclosure of Clawson, et al. (U.S. Patent No. 6,641,625) for the first time in the Action mailed June 3, 2004. It should also be noted that the Clawson, et al. reference was not submitted in an information disclosure statement filed under 37 C.F.R. § 1.97(c). Based on these circumstances and the guidance of M.P.E.P. § 706.07(a), it would appear that the Action mailed June 3, 2004, should not have been made Final. Should the amendments and remarks contained in this Amendment fail to place all claims in condition for allowance, Applicant respectfully requests reconsideration of the nature of the Action mailed June 3, 2004.

Allowable Subject Matter

Applicant expresses his gratitude to the examiner for the comments concerning the allowable subject matter identified in claim 21 and the subject matter identified in claims 3-4, 8-12, 23-24, and 27-29 that would be allowable if re-written in independent form.

Amendments To The Claims

Claim 23 was re-written in independent form to incorporate the limitations of claims 1, 2, and 22, from which it formerly depended. The amendments to claim 23 do not introduce any new matter and do not narrow its scope. Prior to amendment, dependent claim 23 was deemed to recite the limitations of each of

the claims from which it depends, namely claims 1, 2, and 22. Amending claim 23 to independent form to expressly recite the limitations of claims 1, 2, and 22 does not constitute a narrowing amendment. Claims 1, 2, and 22 have accordingly been cancelled without prejudice. Amended claim 23 is believed to be in condition for allowance as suggested by the Office.

Claims 5 and 6 have been amended to correct their dependency. No new matter has been introduced by these amendments.

Claim 14 has been re-written in independent form to incorporate the limitations of claim 13, from which it formerly depended. The amendments to claim 14 do not introduce any new matter and are not considered to narrow its scope. Prior to amendment, dependent claim 14 was deemed to recite the limitations of claim 13. Therefore, amending claim 14 to independent form to expressly recite the limitations of claim 13 does not constitute a narrowing amendment. Claim 13 has accordingly been cancelled without prejudice. The allowability of claim 14 over the disclosure of Clawson, et al. is addressed below.

Claim 16 has been amended to correct its dependency. No new matter has been introduced by this amendment.

Rejections Under 35 U.S.C. § 102(e)

Claims 1-2, 6-7, 13-14, 16-17, and 22 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Clawson, et al. The rejections of claims 1-2, 13, and 22 are rendered moot by the cancellation of these claims without prejudice. The rejection of claim 6-7 is believed to overcome by their dependency from claim 23 and the amendments to claim 23 detailed above.

Regarding claim 14, the Action indicates that Clawson, et al. discloses an oxidation module that comprises a first desulfurization vessel surrounding an oxidation core vessel filled with desulfurization catalyst, citing elements 118, 119, and 120 in the figures and col. 26, line 67- col. 27, line 4 as support. As amended, Applicant's claim 14 recites a compact fuel processor that comprises among other elements an oxidizing module wherein the oxidizing module

includes an oxidation core and a first desulfurizing vessel. The first desulfurizing vessel is further characterized in amended claim 14 as surrounding the oxidation core vessel and forming a first annular space filled with desulfurization catalyst. As is illustrated in Figure 20 and described in the cited text of Clawson, et al., element 120 is a "U-shaped conduit" in which a flow of unreformed fuel may be pre-heated. While the text does indicate that a desulfurization catalyst may be placed within either or both halves (118 and 119) of U-shaped conduit 120 for the purpose of desulfurizing an unreformed hydrocarbon fuel, there is no teaching or suggestion in the Clawson, et al. reference that U-shaped conduit 120 should *surround* an oxidation core vessel or otherwise *form a first annular space filled with desulfurization catalyst* around the oxidation core vessel, as is recited in Applicant's amended claim 14.

In the absence of a teaching or suggestion of a compact fuel processor having the claimed desulfurization vessel, claim 14 is not anticipated by Clawson, et al. Applicant respectfully requests the withdrawal of the rejection of claim 14 under 35 U.S.C. § 102(e) in view of Clawson, et al.

Claims 16 and 17 are believed to be in condition for allowance based on their dependency from claim 14.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 15 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Clawson, et al. Claims 15 and 18 are believed to be in condition for allowance by virtue of their dependency from claim 14.

Claims 5 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Clawson, et al. in view of Collin et al. (U.S. Patent No. 5,458,857). Amended Claim 5 is believed to be in condition for allowance by virtue of its indirect dependency from claim 23. Claim 20 is believed to be in condition for allowance by virtue of its indirect dependency from claim 14.

Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Clawson, et al. in view of Kudo, et al. (U.S. Patent No. 6,413,479). Claim 25

is believed to be in condition for allowance by virtue of its dependency from claim 14.

Claim 26 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Clawson, et al. in view of Edlund (U.S. Patent No. 5,861,137). Claim 26 is believed to be in condition for allowance by virtue of its indirect dependency from claim 14.

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All of the stated grounds of objection and rejection are believed to have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Frank C. Turner", is written over a horizontal line.

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